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United States District Court
Central District of California

ANDRE BORROWS,
Plaintiff,

v.

SPREADSHIRT, INC.; RODERICK
RODRIGUEZ; AIDAN WARD;
GRIGORI BOUDENKOV; BARRY
HIGGINS; ANDREW HIGGINS; and
DOES 8 through 10,
Defendants.

Case No. 2:16-CV-02064-ODW(RAO)

ORDER TO SHOW CAUSE

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1 The Court previously issued an order to show cause giving Plaintiff until May
2 17, 2017, to file proofs of service for Defendants Grigori Boudenkov, Barry Higgins,
3 and Andrew Higgins. (ECF No. 55.) Plaintiff did not do so. As such, the Court
4 **DISMISSES** these three Defendants without prejudice.

5 The Court further notes that Defendant Roderick Rodriguez was served with the
6 first amended complaint but has not filed a timely response. (ECF No. 37.) Plaintiff
7 must move for default with the Clerk of Court against Defendant Rodriguez on or
8 before May 24, 2017, and file a motion for default judgment with the Court on or
9 before May 30, 2017, or the Court will dismiss Defendant Rodriguez without
10 prejudice without further notice.

11 Additionally, the Court notes that the first amended complaint names
12 Spreadshirt, Inc. as a Defendant. (ECF No. 33.) However, the Notice of Withdrawal
13 of Service of Summons and Complaint (ECF No. 39), indicates that Defendant
14 Spreadshirt is “no longer a party to this action.” This is perplexing as the docket does
15 not include any notice of settlement or voluntary dismissal regarding Defendant
16 Spreadshirt. The Court gives Plaintiff until May 24, 2017, to file an objection to the
17 dismissal of Defendant Spreadshirt. Plaintiff’s failure to file an objection to
18 Defendant Spreadshirt’s dismissal by that date will result in the dismissal of
19 Defendant Spreadshirt with prejudice.

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21 **IT IS SO ORDERED.**

22 May 19, 2017

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25 **OTIS D. WRIGHT, II**
26 **UNITED STATES DISTRICT JUDGE**
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